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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,201	05/02/2001	Debby Hindus	060231-302102	7303

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EXAMINER

REKSTAD, ERICK J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/847,201

Applicant(s)

HINDUS ET AL.

Examiner

Erick Rekstad

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is a first action for application no. 09/847,201 filed on May 2, 2001 in which claims 1-14 are presented for examination.

#### ***Claim Rejections - 35 USC § 112***

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: The states "said data processor is capable of displaying communications received at said high bandwidth communication at said lower bandwidth communication." The applicant has not provided a means for displaying the high bandwidth communication at the lower bandwidth communication as the lower bandwidth communication is not a displaying device.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-7 and 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 5,898,457 to Nagao et al.

[claim 1]

As shown in Figure 1, Nagao teaches a communication station (100) for transmitting audio and video communications comprising:

a data processor (101);

a high bandwidth input device coupled to said data processor (104);

a transmission port (107) coupled to said data processor;

a reception port (107) coupled to said data processor;

a high bandwidth output display device (102) coupled to said data processor (Col 3 Line 24-Col 4 Line 4).

Nagao further shows in Figure 3,

a high/low data display bandwidth selector (7j in Fig. 3, 103 in Fig. 1) coupled to said data processor, wherein a transmission bandwidth is user selectable;

a high/low transmission bandwidth selector (7j in Fig. 3, 103 in Fig. 1) coupled to said data processor, wherein a transmission bandwidth is user selectable; and

wherein said high bandwidth output display device (102 in Fig. 1) displays a bandwidth selected by said high/low data display bandwidth selector (Col 3 Lines 39-41) (Col 5 Line 50-Col 6 Line 15, Col 17 Line 6-Col 18 Line 47).

[claim 2]

Nagao further teaches the high bandwidth input device is a video camera (Col 4 Lines 37-51).

[claim 3]

As shown in Figure 1, the high bandwidth output device is a monitor (102).

[claims 4-7 and 9]

Nagao teaches the transmission of sound at 56kbps, video at 62.4 kbps and other data at 6.4kbps (Col 8 Lines 11-21). Note, the video bandwidth is at least two orders of magnitude greater than the other data bandwidth as required by claim 5. Nagao further shows in Figure 13, the ISDN is used for both sending and receiving data. Therefore, the communication station receives video at 62.4kbps and other data at 6.4kbps. The high bandwidth communication is used for video as required by claim 9.

[claim 10]

Nagao teaches the audio is communicated on a lower bandwidth (56kbps) than the video (62.4kbps) (Col 8 Lines 11-21).

[claim 11]

Nagao teaches the audio is communicated on a higher bandwidth (56kbps) than the other data bandwidth (6.4kbps) (Col 8 Lines 11-21).

[claim 12]

Nagao teaches the communication station of claim 6. Nagao teaches the transmission of audio at a lower bandwidth (Col 8 Lines 11-21). Nagao further teaches the audio may be degraded to (16kbps) (Col 7 Lines 53-63).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagao.

[claim 8]

As best understood by the examiner, Nagao teaches receiving video from a camera and displaying it at multiple quality levels (Col 3 Lines 39-41, Col 4 Lines 37-51, Figures 1 and 3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to display high quality video at a lower quality as taught by Nagao.

[claims 13 and 14]

Nagao teaches dynamically adjusting the quantization threshold value in order to change the image quality and therefore the bandwidth usage (Col 11 lines 3-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention that the quantization threshold is a dynamic abstraction filter.

To improve range quality it would have been obvious to one of ordinary skill in the art at the time of the invention that the reduced image could be reduced at least two orders of magnitude as required by claim 14 (Official Notice).

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 4,467,346 to Mori.

US Patent 6,215,515 to Voois et al.

US Patent 5,389,965 to Kuzma.

US Patent 6,396,816 to Astle et al.

US Patent 5,392,284 to Sugiyama.

US Patent 6,380,967 to Sacca.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 703-305-5543. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "C. Kelley".

CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600